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EXAMINER

TM02/0605

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ART UNIT

PAPER NUMBER

2122

DATE MAILED:

06/05/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
09/184,738

Applicant(s)  
Morris et al.

Examiner  
Hoang-Vu Antony Nguyen-Ba

Art Unit  
2122



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on Nov 2, 1998
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some\* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

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## DETAILED ACTION

### *Notice to Applicant(s)*

1. This action is in response to a continuation application, filed November 02, 1998, of U.S. Application Serial No. 08/340,702 filed November 16, 1994, now issued as U.S. Patent No. 5,862,372 on January 19, 1999. Claims 1-54 are presented for examination.

### *Claim Objections*

2. Claims 1, 2, 4, 8, 12, 23, 25, 26, 28, 31, 35, 39, 50, 52, and 53 are objected to because of the following informality: the word "programatic" is mis-spelled.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-3, 17, 18, 25, 26, 27, 28, 29, 30, 43, 44, 45, 46, 47, 48, 49, 50, 52, 53, and 54 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

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failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The following terms lack proper antecedent basis:

- a. “the objects” in claims 1, 3, 17-19, 23, 26, 29, 44-46, and 54;
- b. “the program structure” in claims 2 and 29;
- c. “the four different representations” in claims 2 and 29;
- d. “the user” in claims 2 and 29;
- e. “those objects” in claim 3;
- f. “the displayed functionalities” in claims 20, 21, 47, and 48;
- g. “the system” in claims 20 and 21;
- h. “the choice of objects” in claims 20, 21, 47, and 48;
- I. “the manner of their implementation” in claims 20, 21, 47, and 48;
- j. “the values of properties and connecting events” in claims 22 and 49;
- k. “the settings and connections” in claim 22;
- l. “the property values and event connections” in claims 22 and 49;
- m. “the execution of the objects” in claims 23, 27, 50 and 54;
- n. “the execution scheduling” in claims 25 and 52;
- o. “the temporal relationship” in claims 26 and 53;

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- p. “the function of programming constructs” in claims 27 and 54;
- r. “the application” in claims 27 and 54;
- s. “**the** depiction of the objects” in claim 30;
- t. “the depiction of **the** object” in claim 30;
- u. “the work of programming constructs” in claims 43 and 46;
- v. “the run time execution of the objects” in claim 52.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-54 are rejected under 35 U.S.C. 102(b) as being anticipated by Gudmundson et al. (“Gudmundson”), Hierarchical Encapsulation of Instantiated Objects in a Multimedia Authoring System, U.S. Patent No. 5,680,619, 10/1997, 717/1.

Per claims 1 and 28, Gudmundson discloses at least:

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*means for wrapping standardized objects with additional properties and events beyond those properties and events provided in the standardized object (e.g., Hierarchical Encapsulation concept; Fig. 24, block 40; Fig. 25, blocks 158, 159, 160; Fig. 26, blocks 165, 166, 167; Fig. 29, blocks 94, 95; and related discussion in the specification); and*

*means for utilizing the additional properties and events to link and sequence the objects into the application (e.g., Fig. 24 and related discussion in the specification).*

Per claims 2 and 29, Gudmundson discloses at least:

*means for simultaneously displaying different representations of the program structure (e.g., Fig. 3; Fig. 4; Fig. 9(a); 9(b); 9(c); 9(d); Fig. 32; Fig. 33; and related discussion in the specification); and*

*means for manipulating the program structure within each of the four different representations; wherein the representations of the program structure may be synchronized among displays at the election of the user (e.g., Fig. 24, block 18 and related discussion in the specification).*

Per claims 3 and 30, Gudmundson further discloses *a means for highlighting the depiction of the objects in the representations as those objects are being realized during application development playback preview (e.g., Figure 8 and related discussion in the specification).*

Per claims 4, 8, 12, 31, 35, and 39, Gudmundson discloses at least:

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*a development environment and a playback environment that have no logical operators* (e.g., Fig. 2; Fig. 9; Fig. 24; and related discussion in the specification); *and*

*means for utilizing, by specifying property values, standard objects* (e.g., Fig. 2 and related discussion in the specification).

Per claims 5, 9, 13, 32, 36, and 40, Gudmundson further discloses *a means for communicating among standard objects through the exchange of property values* (e.g., Figs. 14-23 and related discussion in the specification).

Per claims 6, 10, 14, 33, 37, and 41, Gudmundson further discloses *a means for communicating among standard objects wherein an event generated by an object triggers an instance of another object* (e.g., column 14, lines 4-33 and related discussion in the specification).

Per claims 7, 11, 15, 34, 38, and 42, Gudmundson further discloses *a means for communicating among standard objects wherein an event generated by an object triggers an instance of another object* (e.g., column 14, lines 4-33 and related discussion in the specification).

Per claims 16 and 43, Gudmundson further discloses *a means for adding additional programming constructs by employing standard objects that perform the work of programming constructs wherein unlimited expansion of program capabilities is achieved* (e.g., Fig. 2, blocks 35a, 35b and related discussion in the specification).

Per claims 17, 18, and 19, Gudmundson discloses at least:

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*a run time program that has no logical operators (e.g., Fig. 24, Runtime Functionality and related discussion in the specification); and*

*means for utilizing standard objects by identifying the objects and specifying property values (e.g., Figs. 4-23 and related discussion in the specification);*

Per claims 20, 21, 47, and 48, Gudmundson discloses at least:

*means for instantiating objects (e.g., column 12, lines 22-67; column 13, lines 1-31; and related discussion in the specification);*

*means for integrating objects (e.g., column 13, lines 32-67; column 14, lines 1-67; and related discussion in the specification);*

*means for sequencing objects (e.g., Fig. 9(d); Fig. 14(a); Fig. 24, block 18; and related discussion in the specification);*

*means for providing communication among objects (e.g., Fig. 24, blocks 41, 44; and related discussion in the specification); and*

*means for synchronizing views wherein the displayed functionalities performed by the system during execution are determined by the choice of objects use and the manner of their implementation in the system (e.g., Fig. 24, blocks 18, 41 and related discussion in the specification).*

Per claims 22, and 49, Gudmundson discloses at least:



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*means for setting the values of properties and connecting events (e.g., Figs. 14-23 and related discussion in the specification);*

*means for recording and maintaining a history of properties settings and event connections as the settings and connections are changed (e.g., Figs. 9(b), 9(d) and related discussion in the specification); and*

*means for traversing the history one change at a time wherein the property values and event connections may be edited from any point in the history (e.g., Figs. 9(b), 9(d) and related discussion in the specification).*

Per claims 23 and 50, Gudmundson discloses at least:

*means for wrapping standardized objects with additional properties and events beyond those properties and events provided in the standardized object (e.g., Hierarchical Encapsulation concept; Fig. 24, block 40; Fig. 25, blocks 158, 159, 160; Fig. 26, blocks 165, 166, 167; Fig. 29, blocks 94, 95; and related discussion in the specification);*

*means for utilizing the additional properties and events to link and sequence the objects (e.g., Fig. 24 and related discussion in the specification); and*

*means for reading one or more sets of property values maintained separately from the run time system and the objects wherein the execution of the objects is governed by the property values (e.g., Fig. 24, block 52 and related discussion in the specification).*

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Per claims 24 and 51, Gudmundson further discloses *means for adding programming constructs and sub-languages utilizing objects* (e.g., Fig. 24, block 21 and related discussion in the specification).

Per claims 25, 52, and 54, Gudmundson discloses at least:

*means for wrapping standardized objects with additional properties and events beyond those properties and events provided in the standardized objects* (e.g., Hierarchical Encapsulation concept; Fig. 24, block 40; Fig. 25, blocks 158, 159, 160; Fig. 26, blocks 165, 166, 167; Fig. 29, blocks 94, 95; and related discussion in the specification);

*means for utilizing the additional properties and events to link and sequence the objects* (e.g., Fig. 24 and related discussion in the specification);

*means for specifying property values* (e.g., Figs. 4-23 and related discussion in the specification); and

*means for saving the property values to a separate file wherein the run time execution of the objects is determined by the property values* (e.g., column 50, lines 11-55 and related discussion in the specification).

Per claims 26, 27, and 53, Gudmundson discloses at least:

*means for wrapping standardized objects with additional properties and events beyond those properties and events provided in the standardized object* (e.g., Hierarchical Encapsulation

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concept; Fig. 24, block 40; Fig. 25, blocks 158, 159, 160; Fig. 26, blocks 165, 166, 167; Fig. 29, blocks 94, 95; and related discussion in the specification);

*means for utilizing the additional properties and events to link and sequence the objects (e.g., Fig. 24 and related discussion in the specification); and*

*means for specifying the temporal relationship among standard objects by placing the objects on one or more time lines wherein execution of the objects occurs at least partially concurrently and during which property values may be exchanged among the objects and events may be initiated (e.g., Figs. 13(c), 9(d) and related discussion in the specification).*

### ***Conclusion***

7. The following references are cited as being of general interest:

Timbol reference teaches Development System with Visual Design Tools for Creating and Maintaining Java Beans Components, U.S. Patent No. 6,237,135 B1, 05/2001, 717/1.

Korenshtein reference teaches Multi-object Views in an Object Modeling Tool, U.S. Patent No. 5,917,498, 06/1999, 345/433.

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Quaeler-Bock et al. reference teaches Framework for Binding Data Viewers/Data Manipulation with One to Many Objects Through Instropection, U.S. Patent No. 6,023,271, 02/2000, 345/335.

Smith reference teaches Methods and Interface for Building Command Expressions in a Computer System, U.S. Patent No. 5,485,618, 01/1996, 717/1.

Silver et al. reference teaches Method and Apparatus for Interactively Generating a Computer Program for a Machine Vision Analysis of an Object, U.S. Patent No. 5,481,712, 01/1996, 717/1.

Branson et al. reference teaches Object Oriented Framework Mechanism for Determining Configuration Relations, U.S. Patent No. 5,937,189, 08/1999, 717/1.

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Examiner Antony Nguyen-Ba, whose telephone number is (703) 305-0103. The Examiner can normally be reached on Monday-Thursday from 8:30 AM-6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark R. Powell, can be reached at (703) 305-9703.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Hoang-Vu Antony Nguyen-Ba

May 29, 2001

  
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